

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STEVEN M. DENENBERG,	)	
	)	8:07CV150
Plaintiff,	)	
	)	
v.	)	
	)	ORDER
DOCTORS SURGERY CENTER,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the court following plaintiff's recent filing of a motion for summary judgment, Filing No. 158. Trial is scheduled in this matter for October 3, 2011. The court has reviewed the motion and will order the defendant to file a response on or before the first day of trial. Said response may be included in the defendant's trial brief, if it so chooses. The issues set forth in the motion for summary judgment are primarily the issues that will be addressed at trial. Accordingly, the court will handle the motion for summary judgment during or following trial.

THEREFORE, IT IS ORDERED that the defendant shall respond to the plaintiff's motion for summary judgment, Filing No. 158, on or before the first day of trial.

DATED this 21<sup>st</sup> day of September, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge